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NO. 1027 P. 3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**SCHWINK, et. al.**

Examiner: DENTZ, Bernard I.

Art Unit: 1625

Application No.: 10/779,853

Filed: February 17, 2004

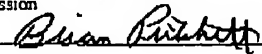
Title: **SUBSTITUTED N-ARYL HETEROCYCLES,  
PROCESS FOR THEIR PREPARATION AND  
THEIR USE AS MEDICAMENTS**

**TELEFAX CERTIFICATE**

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, Alexandria, VA 22313, on

January 9, 2006  
Date of Transmission

Brian Pritchett  
Signature



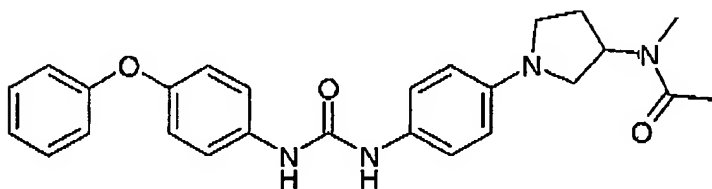
**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Restriction Requirement mailed on 11/07/05. Applicant expressly reserves the right to traverse the Restriction upon further communication from the USPTO regarding the number and characterization of Groups that the Examiner believes are patentably distinct.

Per Examiner's request, Applicant herein elects the species that is Example 1. This species has the following formula:



Furthermore, Applicant elects the method of treating obesity (Claim 11) with a compound of Claim

1. Support for this method can be found on page 1, line 22 of the specification and elsewhere throughout the specification.

Respectfully submitted,



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Aventis Docket No. DEAV2003/0011 US NP